

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-002494

07/26/2006

HON. MICHAEL O. WILKINSON

CLERK OF THE COURT  
D. McGraw  
Deputy

IN RE THE MARRIAGE OF  
LORENA L RODRIGUEZ

FILED: 07/31/2006

LORENA L RODRIGUEZ  
2908 W WASHINGTON  
PHOENIX AZ 85009

AND

JOSE RAFAEL LANDEROS

JOSE RAFAEL LANDEROS  
2545 N 83RD AVE #1173  
PHOENIX AZ 85035

DOCKET-FAMILY COURT CCC  
SUPPORT SERVICES-CCC

JUDGMENT/DECREE  
DECREE OF DISSOLUTION OF MARRIAGE

9:29 a.m. (Courtroom 414) This is the time set for Trial. Petitioner/Mother is present on her own behalf. Respondent/Father is present on his own behalf.

Court reporter, Karen Bolton, is present.

Lorena L. Rodriguez and Jose Rafael Landeros are sworn.

Lorena L. Rodriguez testifies.

Jose Rafael Landeros testifies.

Based upon the testimony presented, the court makes the following additional findings and orders:

**I. DISSOLUTION OF MARRIAGE.**

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THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days immediately preceding the filing of the Petition; that the conciliation provisions of A.R.S. § 25-381.09, and the domestic relations education provisions of A.R.S. § 25-352 either do not apply or have been met; that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property, and, where applicable, support, custody and visitation.

**IT IS ORDERED** that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person effective upon the signing and entry of this Decree.

**II. CUSTODY AND PARENTING TIME.**

THE COURT FINDS that the minor child who is the subject of this action lived in Arizona with a parent, or a person acting as a parent, for at least six consecutive months or more prior to the commencement of this action, or at least from the time of birth of the child until this action was commenced, such that Arizona is the home state of the child vested with jurisdiction to make a child custody determination pursuant to A.R.S. § 25-1031(A)(1).

THE COURT FURTHER FINDS that joint legal custody is in the best interest of the parties' minor child, Isabella Landeros (DOB: 11/18/2003).

**IT IS ORDERED** awarding the parties joint legal custody of their minor child, Isabella born November 18, 2003.

**IT IS FURTHER ORDERED** designating Mother as the primary residential parent.

**IT IS FURTHER ORDERED** that Father shall have parenting time with Isabella on alternating weekends from Friday at 8:00 p.m. until Sunday at 8:00 p.m.

**IT IS FURTHER ORDERED** adopting the parenting plan submitted by Mother as to the holiday and vacation schedule.

**III. CHILD SUPPORT ORDER.**

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet and the Child Support Order signed concurrently with this Decree which the Court hereby incorporates and adopts as its findings with respect to child support.

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**IT IS ORDERED** that Father shall pay to Mother as and for child support the sum of \$212.41 per month, payable through the Support Payment Clearinghouse on the 1st day of each month commencing August 1, 2006 by Wage Assignment.

**IT IS FURTHER ORDERED** approving and settling the formal written Order of Assignment and Child Support Order signed by the Court on July 26, 2006.

**IT IS FURTHER ORDERED** that at any time an Order of Assignment is not paying the child support obligation in full, Father shall make full and timely payments directly to the Support Payment Clearinghouse, P. O. Box 52107, Phoenix, Arizona 85072-2107. The payment should show the case number and/or ATLAS case number and the name of the party paying support and the name of the party who will receive the payment. If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation. Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

Arizona Revised Statutes Section 25-503(I) states that, with certain exceptions, an unpaid child support judgment that became a judgment by operation of law (this means that it became a judgment when it was due and unpaid) expires three years after the emancipation of the last remaining unemancipated child who was included in the court order unless it is reduced to a formal written judgment by the court. An Obligee must apply in writing to the court to obtain a formal written judgment.

**IT IS FURTHER ORDERED** that all medical and dental expenses incurred for the health and protection of the child not covered by insurance shall be paid 47% by Father and 53% by Mother.

**IT IS FURTHER ORDERED** that every 24 months hereafter, the parties shall exchange financial information, including tax returns, spousal affidavits and earnings statements.

**IT IS FURTHER ORDERED** that Mother shall be entitled to utilize the federal tax exemptions applicable to the parties' child for all federal and state income tax purposes in all even-numbered years. Father shall be entitled to utilize the federal tax exemptions applicable to the parties' child for all federal and state income tax purposes in all odd-numbered years, so long as he is current in the payment of all court ordered child support obligations for the current calendar year and any court ordered arrearage payments due during that calendar year by December 31. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If Father is not current, Mother shall be entitled to claim the exemptions.

**IV. SPOUSAL MAINTENANCE.**

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THE COURT FINDS that neither party seeks an order of spousal maintenance or meets the criteria set forth in A.R.S. §25-319(A) for an award of spousal maintenance. Accordingly,

**IT IS ORDERED** that spousal maintenance is not awarded to either party.

**V. PROPERTY DIVISION.**

**IT IS FURTHER ORDERED** awarding to Husband as his sole and separate property, subject to any liens or encumbrances thereon, all vehicles, household furniture, furnishings and appliances, and other personal property currently in his possession. Husband is awarded the Chevy Silverado truck and Husband shall be solely responsible for the debt associated with the truck.

**IT IS FURTHER ORDERED** awarding to Wife as her sole and separate property, subject to any liens or encumbrances thereon, all vehicles, household furniture, furnishings and appliances, and other personal property currently in her possession.

**VI. COMMUNITY DEBTS.**

**IT IS FURTHER ORDERED** that each party shall pay any debt incurred by him or her respectively since the date of the parties' separation.

**FILED:** Child Support Worksheet.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/ s / HON. MICHAEL O. WILKINSON

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JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.